

Margaret M. Fox

October 12, 2016

pfox@mcnair.net T 803.799.9800 F 803.753.3278

Ms. Jocelyn Boyd Chief Clerk and Administrator South Carolina Public Service Commission Synergy Business Park, The Saluda Building 101 Executive Center Drive Columbia SC 29210

Re:

Application of Sandhill Connextions, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Local and Interexchange Voice Services, and for Alternative Regulation Pursuant to S.C. Code. Ann. Sections 58-9-575 and 58-9-585 Within Certain Areas of the State of South Carolina

Docket No. 2016-311-C

Dear Ms. Boyd:

Enclosed for filing on behalf of Lancaster Telephone Company d/b/a Comporium ("Comporium"), please find a Stipulation in the above-referenced docket. By copy of this letter and Certificate of Service all parties of record will receive a copy of this Stipulation via the U. S. Postal Service.

agailthe Fay

Thank you for your assistance.

Very truly yours,

McNAIR LAW FIRM, P.A.

MMF:khh

Margaret M. Føx

Enclosure

McNAIR LAW FIRM, P.A. 1221 Main Street Suite 1800

Columbia, SC 29201

Mailing Address
Post Office Box 11390
Columbia, SC 29211

mcnair.net

| 1321087v1 | BLUFFTON | CHARLOTTE | COLUMBIA | GREENVILLE | HILTON HEAD | MYRTLE BEACH | PAWLEYS ISLAND

## **BEFORE**

## THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket No. 2016-311-C

Re:	Application of Sandhill Connextions, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Local and Interexchange Voice Services, and for Alternative Regulation Pursuant to S.C. Code. Ann. Sections 58-9-575 and 58-9-585 Within Certain Areas of	) ) STIPULATION ) ) ) )
	the State of South Carolina	)

Lancaster Telephone Company d/b/a Comporium ("Comporium") and Sandhill Connextions, LLC ("Applicant") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, Comporium does not oppose Applicant's Application. Comporium and Applicant stipulate and agree as follows:

- 1. Comporium does not oppose the granting of a Certificate of Public Convenience and Necessity to Applicant, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.
- 2. Applicant stipulates and agrees that any Certificate which may be granted will authorize Applicant to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.
- 3. Applicant stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.
- 4. Applicant stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in Comporium's rural incumbent LEC service area,

unless and until Applicant provides Comporium and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, Comporium will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, Applicant acknowledges that the Commission may suspend the intended date for service in Comporium's rural incumbent LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.

- 5. Applicant stipulates and agrees that, if Applicant gives notice that it intends to serve a customer located in Comporium's rural incumbent LEC service area, and either (a) the Commission receives a Petition from Comporium to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then Applicant will not provide service to any customer located within the service area in question without prior and further Commission approval.
- 6. Applicant acknowledges that any right which it may have or acquire to serve Comporium's rural incumbent LEC service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.
- 7. The parties stipulate and agree that all rights under Federal and State law are reserved to Comporium and Applicant, and this Stipulation in no way suspends or adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.

- 8. Applicant agrees to abide by all State and Federal laws and to participate, to the extent it may be required to do so by the Commission, in the support of universally available telephone service at affordable rates.
- 9. Applicant hereby amends its application and its prefiled testimony in this docket to the extent necessary to conform with this Stipulation.
- 10. Notwithstanding any provision contained herein, the terms, conditions and limitations of the Stipulation apply only in those instances where Comporium's federal rural exemption under 47 U.S.C. § 251(f)(1) is implicated.

AGREED AND STIPULATED to this  $\frac{12^{4n}}{2016}$  day of  $\frac{October}{2016}$ ,

Sandhill Connextions, LLC

Lancaster Telephone Company d/b/a Comporium

C Lee Chambers

C. Lee Chambers
President
Sandhill Connextions, LLC
P.O. Box 519
122 S. Main Street
Jefferson, South Carolina 29718
(843) 658-3434
lee.chambers@shtc.net

M. John Bowen, Jr.
M. John Bowen, Jr.
Margaret M. Fox
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(803) 799-9800
jbowen@mcnair.net
pfox@mcnair.net.

Attorneys for Lancaster Telephone Company d/b/a Comporium

## **BEFORE**

## THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket No. 2016-311-C

Re:	Application of Sandhill Connextions, LLC for a Certificate of Public Convenience and Necessity to Provide Facilities-Based and Resold Local and Interexchange Voice Services, and for Alternative Regulation Pursuant to S.C. Code, Ann. Sections 58-9-575 and 58-9-585 Within Certain Areas of the State of South Carolina		CERTIFICATE OF SERVICE
-----	---	--	------------------------

I, Kathy Handrock, a Paralegal with McNair Law Firm, P.A., do hereby certify that I have this date served one (1) copy of the foregoing Stipulation upon the following parties of record by causing said copies to be deposited in the United States Mail, First Class, postage prepaid to:

Carrie L. DeVier, Esquire Donald L. Herman, Jr., Esquire Robin E. Tuttle, Esquire Herman & Whiteaker, LLC 6750-B Rockledge Dr., Ste. 150 Bethesda MD 20817 C. Lessie Hammonds, Esquire Jenny R. Pittman, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, South Carolina 29201

Kathy Handrock, Paralegal McNair Law Firm, P. A. Post Office Box 11390

Columbia, South Carolina 29211

October 12, 2016

Columbia, South Carolina